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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/595,288 | 12/12/2006 | Joakim Bergstrom | P18610-US1 | 6880 |
| 27045 | 7590 | 09/29/2009 | EXAMINER | |
| ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024 | | | JIANG, CHARLES C | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2416 | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 09/23/2009 have been fully considered but they are not persuasive.
2. First, the applicant argues that the Final Rejection was premature. "Under present practice, second or any subsequent actions on the merits shall be final, except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims, nor based on information submitted in an information disclosure statement filed during the period set forth in 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p)." MPEP 706.07(a). Since the Examiner did not introduce a new ground of rejection as the applicant stated on Page 1 of the Remarks, hence the Final Rejection was proper.
3. Secondly, with respect to claim 8 and 10, the applicant argues that the prior art references do not teach "for use on a sub-channel of a random access channel for subscribing user equipments".
4. In response to applicant's argument that the prior art references do not teach "for use on a sub-channel of a random access channel for subscribing user equipments", a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

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5. In addition, Chuah ('765) teaches this limitation (Chuah, '765, Fig. 1, and Col 6, Lines 55-65). The invention of Chuah '765 is directed towards random access channel optimization in a multi subscriber environment. Thus, the applicant's arguments with respect to Claims 8 and 10 are not persuasive.